



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OFFICE OF
COMPLIANCE AND ENFORCEMENT

July 2, 2018

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. & Mrs. Rodrigo and Kari Von Marees
Owners
Green Build Design & Construction, LLC
11221 Olive Lane
Anchorage, Alaska 99515

Re: TSCA Lead-Based Paint Inspection
Date & Time of Inspection: Thursday, July 26, 2018 at 1:00 p.m.
Place of Inspection: EPA Alaska Operations Office, 222 West 7th Avenue, Anchorage, Alaska 99513

Dear Mr. & Mrs. Rodrigo and Kari Von Marees,

Last April 25, 2018, the United States Environmental Protection Agency (EPA) Region 10 sent you an advisory letter on the Renovation, Repair and Painting Rule (“RRP Rule”) Requirements and fines for not complying with the Rule. In that letter, Mr. Von Marees informed Ms. Maria Tartaglia, Lead-Based Paint Compliance Officer, that Green Build Design & Construction, LLC (“Green Build”) would not perform any renovation work on pre-1978 target housing until Green Build obtained the RRP Firm and Renovator Certifications.

As stated in the advisory letter, “The EPA has the right to re-inspect Green Build in the future if the EPA receives new or contrary information. We may open the case file for further review or conduct another inspection. Violating the provisions of TSCA can subject Green Build Design & Construction, LLC to civil penalties of up to \$37,500 per violation per day.”

On **June 27, 2018**, the EPA Region 10 received new information from the Municipality of Anchorage Permitting Office that on **June 13, 2018**, Green Build pulled a Building Permit No. **R18-1823** on a pre-1978 residential property (built in 1953) located at 2208 Turnagain Parkway, Anchorage, Alaska 99517. The Building Permit No. **R18-1823**’s Scope of Work is listed as Drywall, Elec, Plum also repair Roof which indicates that the renovation work was being performed on a pre-1978 residential property.

With this new information, the EPA will perform a Recordkeeping and Reporting Inspection with **Green Build Design & Construction, LLC on Thursday, July 26, 2018 at 1:00 p.m.** The purpose of the inspection is to determine compliance with the Residential Property Renovation Requirements codified at 40 C.F.R. § 745, Subpart E. The inspection will focus on the Residential Property

Renovation Requirements include the RRP Rule that governs lead-based paint activities, promulgated under Section 402 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2682.

The RRP Rule is to ensure that: 1) owners and occupants of **housing built prior to 1978** target housing and child-occupied facilities receive information on lead-based paint hazards before any renovation for compensation begins; 2) individuals performing these renovations are properly trained; 3) renovators and firms performing these renovations are certified; and 4) work practices are followed to minimize lead exposure to the public and environment. EPA is authorized to enforce the rules promulgated under TSCA Sections 406(b) and 402(c), 15 U.S.C. §§ 2686(b) and 2682(c), as well as Sections 16 and 409 of TSCA, 15 U.S.C. §§ 2615 and 2689.

TSCA authorizes EPA to inspect renovations performed for compensation at target housing and child-occupied facilities, including private residential property, in order to monitor compliance with TSCA regulations. EPA is contacting you to conduct an announced inspection under the authority of TSCA Title IV – Lead Exposure Reduction, 40 C.F.R. Part 745 – Lead-Based Paint Poisoning Prevention in Certain Residential Structures.

Based on a review of publicly available information, EPA has determined that you are a firm responsible for renovations at target housing and therefore must comply with the RRP Rule. EPA believes you have performed renovations at the following residential properties that are subject to the RRP Rule:

Permit Number	Year Permit Issued	Residential Property Address	Year Built Property
R18-1823	2018	2208 Turnagain Parkway, Anchorage Alaska 99517	1953
R17-2291	2017	1313 Zarvis Place, Anchorage, Alaska 99508	1965
R16-1416	2016	2232 Culver Place, Anchorage, Alaska 99503	1956
R15-2672	2015	1337 Inlet Place, Anchorage, Alaska 99501	1959
R15-2331	2015	15701 Amberwood Circle, Anchorage, Alaska 99516	1960

Please note that firms performing renovations that are subject to the RRP Rule *must retain and, if requested, make certain records available to EPA* pursuant to 40 C.F.R. § 745.86. Failure or refusal to make records available or to permit access to or copying of records is a violation of TSCA Sections 15 and 409, 15 U.S.C. §§ 2614 and 2689, which may make violators subject to civil penalties pursuant to TSCA Section 16, 15 U.S.C. § 2615. EPA requests that you attend this inspection to make the records listed below available to EPA.

During the inspection, EPA inspectors will review and collect copies of documents related to renovation, repair and painting work performed from **July 3, 2015 to the present**. Please have the following documents from **July 3, 2015 to the present** available to give to EPA at the inspection:

1. **Copies of EPA Renovator Certificates for each construction supervisor/employee that oversees or performs renovation, repair and painting activities for your company.**
2. **A Copy of your EPA Firm Certification.**
3. **A list of all residential properties or child-occupied facilities built before 1978 where renovation, remodeling, or other work which disturbed painted surfaces was conducted by you or employees of your company.**

4. **Copies of all contracts and invoices for renovations identified in response to Question 3, including any attachments and contract modifications.**
5. **Copies of documents required by the RRP Rule, including the Lead Check Test Kit Result Form (if applicable), Renovate Right Receipt Form, Non-Certified Worker Training Form, and the Renovation Recordkeeping Checklist Form.**

Enclosed is an EPA Compliance Assistance Package and a Small Business Resources Information Sheet for your review.

Please contact Rob Hamlet, EPA Inspector, at (206) 553-6349 and/or by email at hamlet.rob@epa.gov to confirm the time and location to meet for the inspection scheduled on **Thursday, July 26, 2018.**

Sincerely,

Kim Farnham
Lead-Based Paint Compliance Officer

Enclosures:

1. EPA Compliance Assistance Package
2. Small Business Resources Information Sheet